

SMALL BUSINESS ZONING RECOMMENDATIONS

Department of Planning and Zoning Community Meeting March 25, 2010

1. Corrections

- Parking for Outdoor Dining. The administrative SUP regulations allow up to 20 seats for outdoor dining, and specifically allow them without required parking. However, under 6-603(2) of the Mount Vernon Overlay Zone (Del Ray), and under 4-1407(B) of the Neighborhood Retail Zone (Arlandria), only 16 seats are permitted without parking. These two sections will be changed for consistency, to allow 20 seats without parking.
- Day Care in Arlandria. Day care center should be a permitted use in the NR Zone. It is on the SUP list of uses and will be changed.

2. New Administrative SUPs

- Massage. Accessory massage is now permitted but stand alone massage facilities require a full SUP. The latter will be changed to an administrative SUP use. The conditions will require compliance with all city and state requirements prior to opening.
- Valet Parking. This use is permitted by administrative SUP now, but only in Old Town, in the KR zone. The proposed change would allow the use, by admin SUP in all of the nonresidential zones. The same requirements as now apply in KR will apply.
- Outdoor dining. Will be allowed by administrative SUP in all nonresidential zones where not now allowed, including in the CD and KR zones outside the boundaries of the King Street Outdoor Dining Zone.

3. Industrial Zone additions

- Personal service/ includes small schools
- Health and athletic club
- Business or professional offices
- Light assembly/crafts
- Private schools, academic or commercial, over 20 students.

4. Additional Flex space uses

- In the OCH Zone, add uses allowed in OCM-100 within a flex space center

5. Wholesale business

- by interpretation, make clear that what is essentially an office is deemed an office

6. Cameron Station commercial uses (see attached)
 - Additional uses are permitted
 - No admin SUP or regular SUP required.
 - This preempts any conflicting provisions of the approved DSUP.
7. Restaurants
 - Interpretation of accessory restaurant (see attached)
 - Definition of Night Club (see attached)
 - For admin SUP restaurants, either
 - 1) Keep full service requirement, but add exemption for coffee shop and ice cream store OR
 - 2) Delete full service requirement but prohibit fast food or formula food stores (See attached potential definitions)
 - For admin SUP restaurants, increase the number of allowable seats to 100
8. Expand Minor Amendment (see attached detail)
9. Trees and Trash
 - Retain current requirement, even though it adds a \$500 fee to new SUPs.
10. Processing admin SUPs
 - No staff review by other agencies for change of ownership cases.
11. Day Care Center/FAR
 - No FAR deducted in new buildings for day care centers and other community uses.
12. Site Plan “Light”
 - A modified, less onerous process for very small building cases.
 - Site Plan approval will still be required by Planning Commission.
13. Small Business Guide update
14. DSUP/retail, personal service lists
15. Reduce outdoor display admin SUP permit fee from \$250 to \$50.

Attachments:

Cameron Station proposed uses
Accessory restaurant definition
Nightclub definition
Coffee or ice cream shop definition
Fast food formula restaurant definition
Expanded Minor Amendment

RECOMMENDATIONS FOR CAMERON STATION BUSINESSES

- Remove restrictions on types of retail and personal service
- Remove or increase percentage of office square footage
- Remove restrictions on types of offices
- As to existing SUP uses, remove requirement for SUP or admin SUP:
 - Restaurant
 - Day Care Center
 - Private School, academic or commercial, with up to 20 students
 - Massage establishments
- Add new permitted uses:
 - Church
 - Medical Laboratory
 - Medical offices
 - Pet Supplies, Grooming and Training with no overnight accommodations
 - Private schools w/ more than 20 students
 - Convenience store
 - Health and Athletic club
 - Catering
 - Bakery greater than 3,500 sq ft with retail component
 - Medical Care Facility
 - Research or Testing Facility

Currently Permitted:

Retail (limited to antiques, appliances, commercial art galleries, art supplies, bakeries, books, candy, clothing, clothing accessories, dry goods, department stores, floor coverings, florists, furniture, groceries, hardware, paint and wallpaper, household goods, jewelry, leather goods luggage lawn and garden supplies, musical instruments, photographic equipment, and supplies sporting goods, tobacco, toys and a variety goods and video rental and sales)

Personal Service (limited to arts and crafts studio, bank, savings and loans, credit unions, bicycle repair, barber shop and beauty shops, dressmaker and tailor, dry-cleaning (pick up & drop off), musical instrument repair, optical center, professional photographer studios, furniture upholstery and printing/photocopying)

Professional and Business Office no more than 30% of the gross floor area of total commercial space (if personal service/ retail space is vacant for 2 yrs after CO or 1 yr after retail/ person service tenant, maximum increases to 40%)

Professional and Medical Office (limited, primary use must be accounting, correspondence, research editing, sales representative, manufacturers representative, engineers, architects, land surveyors, artists, musicians, lawyers, real estate brokers, insurance agents landscape architects, dentistry, chiropractic, psychiatry and clinical psychology offices.)

By Admin SUP:

restaurant, day care center, private schools, academic or commercial with max 20 students, and massage establishments.

DEFINITION OF ACCESSORY RESTAURANT

A use involving the sale or presentation of food and beverages which is clearly subordinate in area, extent, and purpose to an approved principal use and customarily found in connection with and serving that principal use. An accessory restaurant is typically not larger than 33% of the floor area of the entire business; does not offer table or delivery service; does not have hours of operation longer than the retail business; and does not have a separate entrance.

Examples:

- Starbucks Coffee outlet, with drinks, pastries and prepackaged sandwiches, within a bookstore, such as Barnes & Noble
- Grocery stores of any size offering food, even prepared or heated sandwiches, and with or without small seating areas– Whole Foods, Harris Teeter, Gitum Grocery, Arlandria proposal
- Restaurant within Costco, BJs or Target
- Wine or beer shops that have tasting events – Planet Wine
- Specialty food shops offering tastings or small scale food menu – Great Harvest Bread, La Fromagerie
- Other retail shops offering tastings or informal food or beverage instruction – The Hour on King Street, kitchen shops offering accessory food classes or demonstrations
- Museums or galleries (snack bar, café or catered receptions)
- Coffee and tea accessory to a retail bakery.

DEFINITION OF NIGHTCLUB

A restaurant where entertainment, live or otherwise, predominates over food service, at least during part of its operations, with or without dancing, and typically involving a cover or other charge for admission.

Examples:

Floyds

Nicks

My Bakery/Club Lush

Lillians?

Mr. Days (in Arlington)

DEFINITION OF Coffee or Ice Cream Shop-

A small restaurant, typically no more than two thousand square feet in area, where the principal business is either the sale of coffee and other hot beverages or the sale of ice cream, frozen yogurt or other related confections. Pastries, baked goods, cold beverages, sandwiches and other light fare may also be sold incidental to the service of coffee, but no alcohol is served, no entertainment takes place and no cooking, other than the application of heat by microwave, electric burner or the boiling of water, typically takes place.

Examples:

Mishas
Uptowner
Starbucks
Firehook
Dunkin Donuts?
Grape and Bean?
Perk Up Coffee House, S. Washington
Cold Stone Creamery
Dairy Godmother?
Pop's
Baskin Robbins
Ben & Jerry's

Not:

Buzz (entertainment)
St. Elmos (entertainment)
Caboose Café (meals)
Bread and Chocolate (meals)
Cosi (meals)
Perk's Coffee Shop, N. Fairfax (meals)
Breugger's (4000 sf)

DEFINITION: FAST FOOD RESTAURANT

Fast food restaurant shall mean any restaurant without table service in which the usual and customary operations include three or more of the following characteristics:

- (1) Long hours of service (open for breakfast, lunch and dinner; or open for 12 or more hours).
- (2) Customers pay for food before consuming it.
- (3) Food is served in disposable containers.
- (4) No seats or tables are provided
- (5) A permanent menu board is provided from which to select and order food.
- (6) A grease fryer is used to prepare food.
- (7) Follows a formula by which it is required by contractual or other arrangement to offer any of the following: standardized menu, ingredients, employee uniforms, interior and/or exterior color scheme, architectural design, signage or similar standardized features, or which adopts a name, appearance or food presentation format which causes it to be substantially identical to another restaurant regardless of ownership or location.

POTENTIAL EXPANSION OF MINOR AMENDMENT

- 25% additional floor area
- 25% restaurant seats
- Bring other elements to the same percentage?
- For restaurants already approved by full SUP, allow expansion up to amount permitted by administrative SUP:
 - Add seats, up to 60 total seats
 - Add delivery service limited to one vehicle with dedicated parking for restaurants with at least 40 seats
 - Add green (nonvehicular) delivery, with no seat restriction
 - Add limited live entertainment, per Admin SUP condition language (no cover charge, background music, limitation on advertising)
 - Add on-premises alcohol
 - Add hours up to neighborhood standard assuming there is one, regardless of current two-hour rule

If the above suggestions were in place in 2009, 4 out of 20 full-SUP amendment cases that year would have been Admin, representing 20%:

- Café Pizzaiolo at Calvert – Asked for limited live entertainment (also two delivery vehicles)
- Bistro Lafayette – Asked for two additional hours (until 1:00am on Thursdays only) and limited live entertainment
- Shanghai Peking – Asked to sell on-premises alcohol in DSUP project
- Momo Sushi – Asked for increase from 12 to 44 seats.